

REMARKS

Claims 1 and 2 remain in the application. Claims 1 and 2 have been amended to clearly define the invention.

Applicant, a plumber, conceived of a one piece elastic seal adapter which effectively seals a water closet in relation to either of two different diameter sewer pipes 22, 23 (which are connectable, respectively, to the interior and exterior of the tubular part 19 of the closet flange 13). As mentioned in the specification (page 3, paragraph [0006] the closet flange 13 and the sewer pipes are typically made of PVC and are rigidly secured by a solvent cement. Applicant's single design seal adapter provides an effective sewer gas seal between the water closet tubular part 19 of the closet flange 13 and either the sewer pipe 22 or sewer pipe 23 without requiring additional seal apparatus. The interior of the tubular part 19 is sized to receive a three inch sewer pipe and the exterior of the tubular part is sized to fit inside a four inch sewer pipe. Since applicant's adapter provides a seal between the water closet 11 and the sewer connection regardless of which size sewer pipe is secured to the tubular part 19 of the closet flange 13, the servicing plumber need only stock and carry one type of seal adapter for servicing residential water closets.

The PVC closet flange for residential water closets has been used for an extended period of time and applicant is the first to conceive of a seal adapter that effectively seals the water closet to the drain regardless of which size sewer pipe is connected to the closet flange.

Amended claim 1 defines a water closet seal which includes an elastic seal adapter 31 having a flat horizontal annulus 32 which is in sealing engagement with the closet flange and is sealed to the underside of a water closet 11 by a washer shaped foam plastic seal 37 adhesively secured to both the annulus 32 and the water closet 11. The adapter is defined to have a downwardly extending tubular portion 46 with at least one annular flange 47 or 48 disposed

below the annulus 32 and extending radially outward a sufficient distance to sealingly engage the interior of a first sewer pipe when the latter is connected to the radially inward facing cylindrical surface of the tubular portion 19 and to sealingly engage the radially inward facing cylindrical surface of the tubular part 19 of the closet flange 13 when a second sewer pipe is connected to the radially outward facing cylindrical surface of the tubular part 19 of the closet flange 13. The foam plastic washer shaped seal 37 adhesively secured at its underside to the upper surface of the annulus 32 and including adhesive on its upper side adapted for sealing engagement with the underside of the water closet 11 insures against sewer gas leaks.

Claim 1 as amended is believed to structurally define applicant's one-piece elastic seal adapter in a patentably distinguishing manner.

Dependent claim 2 is believed to be allowable for the reasons advanced for allowance of parent claim 1.

As the examiner has noted, the ring 17 of Spells is not described as being made of foam rubber, which readily adapts to vertical dimensional variations encountered in installing water closets. The wax ring of Turner, the wax-like ring of Swartz et al. and the ring of Thies do not adhesively adhere to the water closet or the closet flange. Thus claim 1 is believed to now clearly define applicant's effective water closet seal in a patentable manner.

Respectfully submitted,



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